

Message Text

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ACTION NEA-12

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TO SECSTATE WASHDC 5007

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E.O. 11652: N/A

TAGS: PINS, IR

SUBJECT: TRIAL FOR 12 ACCUSED OF PLOT TO ASSASSINATE/KIDNAP SHAH
AND MEMBERS OF FAMILY OPENS IN MILITARY COURT

REF: (A) TEHRAN 7005; (B) TEHRAN 7073

SUMMARY: TRIAL FOR 12 ARRESTED LAST OCTOBER FOR PLOTTING AGAINST
SHAH AND FAMILY BEGAN IN MILITARY COURT DECEMBER 6. PROSECUTOR
HAS ASKED FOR DEATH PENALTY.

1. PRASS JANUARY 7 FRONT-PAGED OPENING OF PUBLIC TRIAL IN
MILITARY COURT OF 12 WHO ARRESTED LAST OCTOBER AND CHARGED WITH
PLOTTING AGAINST LIFE OF THE SHAH, EMPRESS FARAH AND THE CROWN
PRINCE (REFTELS).
PUBLIC TRIAL, WHICH OPENED DECEMBER 6, WAS
ATTENDED BY JOURNALISTS AND PORTIONS TELEVISED.

2. INTER ALIA THE INDICTMENT CHARGED THE ACCUSED WITH: (A)
CONSPIRACY TO ASSASSINATE THE SHAH IN ONE OF THREE PLACES HE
FREQUENTED (NOWSHAHR, PRINCESS FATEMEH'S RESIDENCE AND ST.
MORITZ, IN SWITZERLAND; (B) PLANNING TO BLOW UP A BRIDGE
CONNECTING NOWSHAHR'S AIRPORT TO THE ROAD LEADING TO CITY AT A
TIME SHAH CROSSING IT; (C) RECONNOITERING PRINCESS FATEMEH'S
RESIDENCE TO ASCERTAIN WHERE AND WHEN THEY COULD BEST STRIKE;
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(D) PLOTTING TO MAKE ATTEMPT ON LIFE OF THE SHAH DURING HIS

WINTER VACATION IN ST. MORITZ.

3. THE PROSECUTOR, WHO CALLED FOR THE DEATH PENALTY, REJECTED THE CONTENTION OF FOUR OF THE ACCUSED (TEIFUR BATHAI, KHOSROW GOLESORKHI, KERAMATOLLAH DANESHIAN AND MOHAMMAD REZA ALLAMEHZADEH) THAT THEY FACED POLITICAL CHARGES AND, THEREFORE, SHOULD BE TRIED IN A CIVIL COURT WITH A JURY INSTEAD OF A MILITARY COURT. PROSECUTOR POINTED OUT, ACCORDING TO IRANIAN LAW, THE CHARGES OF CONSPIRACY TO KILL THE SHAH HAD TO BE HEARD BY A MILITARY TRIBUNAL. HIS CONTENTION WAS SUSTAINED WHEN THE MILITARY TRIBUNAL WENT INTO CLOSED SESSION FOR 15 MINUTES AND RETURNED WITH DECISION THAT IT WITHIN THE COURT'S POWER TO TRY THE 12.

4. PROSECUTOR STATED THE TRIBUNAL WAS CONSIDERING A CASE

"DIRECTLY CONNECTED WITH THE VERY EXISTENCE AND NATIONAL IDENTITY OF IRAN" AND EQUATED THE CONSPIRACY TO KILL THE SHAH WITH A PLOT TO DESTROY IRAN'S RECENT ACHIEVEMENTS. THIS GROUP, HE SAID, MUST DECLARE UNDER WHAT MOTIVE AND PRETEXT THEY AGREED "TO ACT AS AGENTS OF THE ENEMY AT THE COST OF INTERNAL INFAMY". CITING IRANIAN LAW, HE SAID, IF PERSONS ENGAGED IN A PLOT WHOSE END RESULT IS DEATH - IF THEY HAVE TAKEN PRELIMINARY STEPS TOWARD CARRYING OUT SUCH A PLOT - THE PENALTY IS DEATH.

5. WITH THE EXCEPTION F MORTEZA SIAPUSH, WHO PLEADED NOT GUILTY, THE DEFENDENTS REJECTED THE CHARGES, SAYING THEY WOULD GIVE DETAILED EXPLANATIONS LATER.

COMMENT: EMBASSY RELIABLY INFORMED GOI BELIEVES IT HAS EXCELLENT CASE AGAINST THE ACCUSED AND FOR THAT REASON HAS MADE TRIAL PUBLIC. HOWEVER, BEFORE ONE IS ADMITTED TO THE PUBLIC(48-), HE MUST OBTAIN A PERMIT FROM THE MINISTRY OF INFORMATION. AS TRIAL PROCEEDS, WE EXPECT THERE WILL BE MORE CONCERNING "THE ENEMY", WHICH PHRASE PROSECUTOR INTRODUCED, BUT HAS NOT DEFINED. IT IS ANTICIPATED TRIAL WILL PROBABLY LAST ANOTHER 10 DAYS. END COMMENT.
HELMS

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